

31  
19. (Three Times Amended) A DNA molecule encoding HCMV pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28, wherein said DNA molecule does not comprise [a] an entire HindIII R fragment from the genome of human cytomegalovirus strain Ad169.

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21. (Twice Amended) A DNA [construct] molecule encoding HCMV pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28, wherein said [construct] molecule is capable of bringing about the expression of said HCMV pp28 or said antigenic portions thereof.

F3  
24. (Twice Amended) Prokaryotic or eukaryotic cells which are transformed with the DNA [construct] molecule of claim 21.

F4  
25. (Amended) A DNA molecule encoding HCMV pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28, wherein said DNA molecule is [contained within] a fragment of the HindIII fragment of HCMV that includes a DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28, and said DNA molecule does not comprise an entire HindIII R fragment from the genome of human cytomegalovirus.

26. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 5.9 kB HindIII/XhoI fragment of HCMV that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

27. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 5.8 kB HindIII/XbaI fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

28. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 5.2 kB HindIII/SalI fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

29. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 4.7 kB HindIII/KpnI fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

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30. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 4.5 kB HindIII/PstI fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

F4 Cont'd  
31. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 3.8 kB HindIII/XbaI fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

32. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 3.7 kB HindIII/PvuII fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

33. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 3.0 kB HindIII/SalI fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

34. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 2.5 kB HindIII/PvuII fragment that includes said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

F4 cont'd. 35. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 2.0 kB HindIII/SmaI fragment that includes antigenic portions of said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

36. (Amended) The DNA molecule of claim 25, wherein said DNA molecule is [contained within] a fragment of the 1.5 kB HindIII/KpnI fragment that includes antigenic portions of said DNA sequence which encodes pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28.

F5 39. (Amended) The SmaI/SmaI fragment encoding HCMV pp28, or antigenic portions thereof that elicit antibodies that immunologically bind to pp28, within, but not including, the [HindII] HindIII R fragment from the genome of human cytomegalovirus.

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